IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.9219 OF 2003

Mr.V.B. Naik for the Petitioner.

Mr.Ajit Kulkarni for the Respondent.

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions	Court's or Judge's orders
	CORAM: D.K.DESHMUKH, J. **DATED:** 8TH JUNE,2005

P.C.:

1. By the order impugned in the petition, the Family Court restrained the Petitioner/husband from entering the flat of which admittedly the wife is joint owner. The main reason that weighed with the Family Court in making interim order restraining the Petitioner from entering the flat which is occupied by wife and children is that the Petitioner is mentally unstable, who attempted twice to kill himself. In the face of the

fact, therefore, I do not find that the order granted by the Family Court results in any failure of justice. Obviously, the Family Court has passed the order to prevent further complications and harassment to the wife and children, because of mental instability of the Petitioner. The Petition is, therefore, disposed of. All interim orders that are presently operating are vacated. If the Petitioner desires to seek any interim relief from the Court, he is at liberty to apply to the trial court.

...